

# SENATE JOURNAL OF THE IDAHO LEGISLATURE

FIRST REGULAR SESSION  
FIFTY-NINTH LEGISLATURE

THIRTY-THIRD LEGISLATIVE DAY  
FRIDAY, FEBRUARY 9, 2007

Senate Chamber

President Pro Tempore Geddes called the Senate to order at 11 a.m.

Roll call showed all members present except Senators Coiner, Davis, and Malapeai, absent and formally excused by the Chair; and Senators Burkett, Cameron, Darrington, Fulcher, Gannon, Langhorst, Schroeder and Werk, absent and excused.

Prayer was offered by Chaplain Goebel.

The Pledge of Allegiance was led by Joe Burke, Page.

The Senate advanced to the Third Order of Business.

## Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 8, 2007, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Stegner, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

## Petitions, Resolutions, and Memorials

Senators Burkett, Cameron, Darrington, Fulcher, Gannon, Langhorst, Schroeder, and Werk were recorded present at this order of business.

## SCR 106 BY LOCAL GOVERNMENT AND TAXATION COMMITTEE

A CONCURRENT RESOLUTION  
STATING FINDINGS OF THE LEGISLATURE AND  
AUTHORIZING THE LEGISLATIVE COUNCIL TO APPOINT  
A COMMITTEE TO UNDERTAKE AND COMPLETE A  
STUDY OF PROPERTY TAX EXEMPTIONS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the state's current tax system includes the property tax on real and personal property; and

WHEREAS, Idaho's various property tax exemptions have not been studied in the past twenty-three years; and

WHEREAS, rising property taxes have forced property owners to seek creative methods of reducing property valuations within the law, thus causing inequities among property owners; and

WHEREAS, the Legislature recognizes that it has not provided assessors with proper statutory direction to address these inequities.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-ninth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislative Council is authorized to appoint a fourteen member committee to undertake and complete a study of the state's property tax exemptions in all of their aspects and to make recommendations for a strategy to statutorily limit exemptions more specifically to the uses for which the exemptions were originally intended. The Legislative Council shall determine the membership from each house appointed to the committee and shall authorize the committee to receive input, advice and assistance from interested and affected parties who are not members of the Legislature.

BE IT FURTHER RESOLVED that nonlegislative members of the committee may be appointed by the cochairs of the committee who are appointed by the Legislative Council. Nonlegislative members of the advisory committee shall not be reimbursed from legislative funds for per diem, mileage or other expenses and shall not have voting privileges regarding the committee's recommendations or proposed legislation.

BE IT FURTHER RESOLVED that the committee shall report its findings, recommendations and proposed legislation to the Second Regular Session of the Fifty-ninth Idaho Legislature.

SCR 106 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

## Reports of Standing Committees

February 9, 2007

The JUDICIARY AND RULES Committee reports that S 1099, S 1100, S 1101, S 1102, and S 1103 have been correctly printed.

DARRINGTON, Chairman

S 1099 was referred to the Local Government and Taxation Committee.

S 1100 and S 1101 were referred to the Resources and Environment Committee.

S 1102 and S 1103 were referred to the Health and Welfare Committee.

February 8, 2007

The JUDICIARY AND RULES Committee reports that S 1021 has been correctly enrolled.

DARRINGTON, Chairman

The President Pro Tempore signed Enrolled **S 1021**, and ordered it transmitted to the House for the signature of the Speaker.

February 8, 2007

The LOCAL GOVERNMENT AND TAXATION Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Lyle R. Cobbs to the Board of Tax Appeals, term to expire June 30, 2009.

HILL, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 8, 2007

The EDUCATION Committee reports out **S 1067** with the recommendation that it do pass.

GOEDDE, Chairman

**S 1067** was filed for second reading.

February 9, 2007

The STATE AFFAIRS Committee reports out **S 1064** and **H 30** with the recommendation that they do pass.

McKENZIE, Chairman

**S 1064** and **H 30** were filed for second reading.

On request by Senator Stegner, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

### Messages from the Governor

February 8, 2007

The Honorable James E. Risch  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Roy E. Decker of Heyburn, Idaho, was appointed as a member of the Bingo-Raffle Advisory Board to serve a term commencing January 7, 2007, and expiring January 7, 2010.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C. L. 'Butch' Otter  
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the State Affairs Committee.

February 8, 2007

The Honorable James E. Risch  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that William W. Deal of Nampa, Idaho, was appointed as a member of the Public Employment Retirement System of Idaho Board to serve a term commencing January 24, 2007, and expiring July 1, 2011.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C. L. 'Butch' Otter  
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Commerce and Human Resources Committee.

February 8, 2007

The Honorable James E. Risch  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Robert "Bob" Graham of Bonners Ferry, Idaho, was appointed as a member of the Idaho Water Resource Board to serve a term commencing January 23, 2007, and expiring January 1, 2011.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C. L. 'Butch' Otter  
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Resources and Environment Committee.

February 8, 2007

**H 81** was filed for first reading.

February 8, 2007

The Honorable James E. Risch  
President of the Senate  
Idaho Legislature

Mr. President:

Dear Mr. President:

I transmit herewith Enrolled **H 8, H 9, H 12, H 13, H 15, H 17, and H 22** for the signature of the President.

I have the honor to inform you that Charles Cuddy of Orofino, Idaho, was appointed as a member of the Idaho Water Resource Board to serve a term commencing January 25, 2007, and expiring January 1, 2011.

JUKER, Chief Clerk

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

The President Pro Tempore signed Enrolled **H 8, H 9, H 12, H 13, H 15, H 17** and **H 22** and ordered them returned to the House.

February 8, 2007

As Always - Idaho, *Esto Perpetua*  
/s/ C. L. 'Butch' Otter  
Governor

Mr. President:

The correspondence was ordered filed in the office of the Secretary of the Senate.

I return herewith Enrolled **S 1006, S 1008, S 1009, S 1034, and S 1035** which have been signed by the Speaker.

JUKER, Chief Clerk

The Gubernatorial appointment was referred to the Resources and Environment Committee.

Enrolled **S 1006, S 1008, S 1009, S 1034, and S 1035** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

February 8, 2007

The Honorable James E. Risch  
President of the Senate  
Idaho Legislature

On request by Senator Stegner, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Dear Mr. President:

**Introduction, First Reading and Reference of Bills,  
House Petitions, Resolutions, and Memorials**

I have the honor to inform you that Jerry R. Rigby of Rexburg, Idaho, was appointed as a member of the Idaho Water Resource Board to serve a term commencing January 23, 2007, and expiring January 1, 2011.

**S 1104**

**BY AGRICULTURAL AFFAIRS COMMITTEE**

**AN ACT**

RELATING TO WASTE TIRE DISPOSAL; AMENDING SECTION 39-6501, IDAHO CODE, TO REVISE A DEFINITION.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

**S 1105**

**BY COMMERCE AND HUMAN RESOURCES**

**COMMITTEE**

**AN ACT**

The correspondence was ordered filed in the office of the Secretary of the Senate.

RELATING TO DEPENDENTS; AMENDING SECTION 41-2103, IDAHO CODE, TO REVISE REQUIREMENTS FOR POLICIES OF DISABILITY INSURANCE AND TO DEFINE "DEPENDENT"; AMENDING SECTION 41-4703, IDAHO CODE, TO REVISE THE DEFINITION FOR "DEPENDENT" AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 41-4706, IDAHO CODE, TO REVISE APPLICABLE AGE OF DEPENDENTS; AMENDING SECTION 41-5203, IDAHO CODE, TO REVISE THE DEFINITION FOR "DEPENDENT"; AMENDING SECTION 41-5206, IDAHO CODE, TO REVISE APPLICABLE AGE OF DEPENDENTS; AMENDING SECTION 41-5501, IDAHO CODE, TO REVISE THE DEFINITION FOR "DEPENDENT"; AND AMENDING SECTION 63-3022K, IDAHO CODE, TO REVISE APPLICABLE AGE OF DEPENDENTS.

The Gubernatorial appointment was referred to the Resources and Environment Committee.

The Senate advanced to the Ninth Order of Business.

**Messages from the House**

February 8, 2007

Mr. President:

I transmit herewith **H 81** which has passed the House.

JUKER, Chief Clerk

**S 1106**  
**BY COMMERCE AND HUMAN RESOURCES**  
**COMMITTEE**

AN ACT

RELATING TO WORKER'S COMPENSATION; AMENDING SECTION 72-713, IDAHO CODE, TO PROVIDE FOR SERVICE OF NOTICE OF HEARING BY FIRST CLASS MAIL.

**S 1107**  
**BY COMMERCE AND HUMAN RESOURCES**  
**COMMITTEE**

AN ACT

RELATING TO INSURANCE TRADE PRACTICES; AMENDING SECTION 41-1313, IDAHO CODE, TO REVISE DESCRIPTIVE LANGUAGE, TO REVISE TERMINOLOGY AND TO PROVIDE CODE REFERENCES.

**S 1108**  
**BY COMMERCE AND HUMAN RESOURCES**  
**COMMITTEE**

AN ACT

RELATING TO TAXABLE WAGE BASE AND TAXABLE WAGE RATES FOR UNEMPLOYMENT INSURANCE PURPOSES; AMENDING SECTION 72-1350, IDAHO CODE, TO INCREASE THE DESIRED FUND SIZE MULTIPLIER.

**S 1109**  
**BY COMMERCE AND HUMAN RESOURCES**  
**COMMITTEE**

AN ACT

RELATING TO THE REAL ESTATE COMMISSION; AMENDING SECTION 54-2004, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 54-2016, IDAHO CODE, TO REMOVE CERTAIN LICENSE REQUIREMENTS; AMENDING SECTION 54-2018, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION, TO REFERENCE REQUIRED FEES, TO REVISE PROVISIONS APPLICABLE TO CHANGES IN PERSONAL INFORMATION, TO DELETE A SIGNATURE REQUIREMENT, TO REVISE LANGUAGE PROVIDING FOR THE EFFECTIVE DATE OF LICENSE ISSUANCE AND REQUESTED CHANGES AND TO SET FORTH PROVISIONS RELATING TO LICENSE CERTIFICATES; AMENDING SECTION 54-2020, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO FEES; AMENDING SECTION 54-2023, IDAHO CODE, TO REVISE CONTINUING EDUCATION REQUIREMENTS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-2027, IDAHO CODE, TO REVISE DUTIES AND REQUIREMENTS OF CERTIFIED COURSE PROVIDERS; AMENDING SECTION 54-2035, IDAHO CODE, TO REVISE CERTIFICATION REQUIREMENTS FOR INSTRUCTORS; AMENDING SECTION 54-2040, IDAHO CODE, TO REVISE DESCRIPTIVE LANGUAGE, TO REVISE PROVISIONS RELATING TO MAIN OFFICE OF BUSINESS LOCATION, TO SET FORTH PROVISIONS RELATING TO LICENSE CERTIFICATES AND TO REMOVE LANGUAGE PROVIDING FOR THE DISPLAY OF LICENSES AND THE RETURN OF LICENSE CERTIFICATES; AMENDING SECTION 54-2044, IDAHO CODE, TO PROVIDE THAT LEDGER RECORDS SHALL BE KEPT IN ALPHABETICAL ORDER OR BY TRANSACTION NUMBER; AMENDING SECTION 54-2045, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO TRUST ACCOUNT

DEPOSITS AND TRANSFERS OF CONSIDERATION; AMENDING SECTION 54-2051, IDAHO CODE, TO REMOVE A SIGNATURE REQUIREMENT; AND AMENDING SECTION 54-2056, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO TERMINATING OR CHANGING LICENSED BUSINESS RELATIONSHIPS.

**S 1110**  
**BY TRANSPORTATION COMMITTEE**  
**AN ACT**

RELATING TO DRIVER'S INSTRUCTION PERMITS; AMENDING SECTION 49-110, IDAHO CODE, TO REVISE THE DEFINITIONS OF "CLASS D DRIVER'S TRAINING INSTRUCTION PERMIT" AND "CLASS D INSTRUCTION PERMIT" AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-302, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 49-303, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-305, IDAHO CODE, TO PROVIDE AN EXPIRATION DATE FOR CERTAIN CLASS D INSTRUCTION PERMITS, TO PROVIDE CORRECT TERMINOLOGY, TO SPECIFY AGE AND OTHER QUALIFICATIONS FOR OBTAINING A PERMIT AND TO DELETE REFERENCE TO APPLICATION FOR A CLASS D DRIVER'S TRAINING INSTRUCTION PERMIT; AND AMENDING SECTION 49-307, IDAHO CODE, TO PROVIDE CONDITIONS FOR ISSUANCE AND EXPIRATION OF CLASS D DRIVER'S TRAINING INSTRUCTION AND CLASS D INSTRUCTION PERMITS, TO REVISE THE FEE FOR ALL DRIVER'S TRAINING INSTRUCTION PERMITS AND TO REVISE THE DISTRIBUTION OF FEES, TO PROVIDE FOR ISSUANCE OF TEMPORARY PERMITS, TO REQUIRE DRIVER'S TRAINING INSTRUCTORS TO KEEP INSTRUCTION PERMITS IN THEIR IMMEDIATE POSSESSION WHILE PERMITTEES ARE OPERATING A VEHICLE, TO SPECIFY A CONDITION UNDER WHICH A CLASS D SUPERVISED INSTRUCTION PERMIT BECOMES A CLASS D INSTRUCTION PERMIT AND TO PROVIDE FOR EXPIRATION OF SUCH INSTRUCTION PERMIT, TO CLARIFY THE REQUIREMENTS FOR OPERATING A CLASS D VEHICLE WITH A CLASS D SUPERVISED INSTRUCTION PERMIT AND TO MAKE TECHNICAL CORRECTIONS.

**S 1111**  
**BY TRANSPORTATION COMMITTEE**  
**AN ACT**

RELATING TO DEVELOPMENT IMPACT FEES; AMENDING SECTION 67-8204A, IDAHO CODE, TO CLARIFY WHEN GOVERNMENTAL AGREEMENTS WITH THE IDAHO TRANSPORTATION DEPARTMENT ARE REQUIRED; AND AMENDING SECTION 67-8214, IDAHO CODE, TO REQUIRE INTERGOVERNMENTAL AGREEMENTS IN CERTAIN CASES.

**S 1112**  
**BY TRANSPORTATION COMMITTEE**  
**AN ACT**

RELATING TO MOTOR FUELS TAX; AMENDING SECTION 63-2407, IDAHO CODE, TO DELETE THE FUEL TAX DEDUCTION AUTHORIZED FOR GASOLINE AND BIODIESEL.

**S 1113**  
**BY TRANSPORTATION COMMITTEE**  
 AN ACT

RELATING TO FEES CHARGED BY THE IDAHO TRANSPORTATION DEPARTMENT; AMENDING SECTION 49-202, IDAHO CODE, TO INCREASE FEES ASSOCIATED WITH TITLING, LICENSING AND VEHICLE IDENTIFICATION NUMBERS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-306, IDAHO CODE, TO INCREASE FEES FOR DRIVER'S LICENSES, PERMITS AND TESTING AND TO PROVIDE FOR DISTRIBUTION OF THE INCREASED AMOUNTS; AMENDING SECTION 49-328, IDAHO CODE, TO INCREASE FEES FOR REINSTATEMENT OF LICENSES AND TO PROVIDE FOR DISTRIBUTION OF AN INCREASE; AMENDING SECTION 49-523, IDAHO CODE, TO INCREASE FEES FOR ISSUING TEMPORARY REGISTRATION PERMITS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-525, IDAHO CODE, TO INCREASE FEES FOR ISSUING SALVAGE TITLES; AMENDING SECTION 49-1224, IDAHO CODE, TO INCREASE FEES FOR CERTIFICATION OF SELF-INSURANCE; AMENDING SECTION 49-1607, IDAHO CODE, TO INCREASE FEES FOR ISSUING DEALER'S, SALESMAN'S, VEHICLE MANUFACTURER'S AND DISTRIBUTOR'S LICENSES, IDENTIFICATION CARDS AND DEALER'S BUSINESS LOCATION LICENSES; AMENDING SECTION 49-2444, IDAHO CODE, TO INCREASE THE FEE FOR ISSUING IDENTIFICATION CARDS AND TO PROVIDE FOR DISTRIBUTION OF THE INCREASED AMOUNTS; AND PROVIDING AN EFFECTIVE DATE.

**S 1114**  
**BY TRANSPORTATION COMMITTEE**  
 AN ACT

RELATING TO THE HIGHWAY PRESERVATION FUEL TAX; AMENDING SECTION 63-2424, IDAHO CODE, TO INCREASE THE ANNUAL FEE FOR GASEOUS FUEL PERMITS; AMENDING SECTION 63-2428, IDAHO CODE, TO INCREASE THE AMOUNT REQUIRED TO BE SECURED BY A DISTRIBUTOR'S BOND AND TO PROVIDE THAT THE BOND APPLIES TO THE BONDING REQUIREMENTS OF CHAPTER 46, TITLE 63, IDAHO CODE; AMENDING SECTION 63-2431, IDAHO CODE, TO PROVIDE AN EXCEPTION TO THE TAXATION LIMITATIONS OF CHAPTER 24, TITLE 63, IDAHO CODE; AND AMENDING TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 46, TITLE 63, IDAHO CODE, TO PROVIDE A CHAPTER HEADING, TO PROVIDE DEFINITIONS, TO PROVIDE FOR IMPOSITION OF THE HIGHWAY PRESERVATION FUEL TAX, TO PROVIDE FOR PAYMENT OF THE TAX, TO PROVIDE FOR DISTRIBUTION OF TAX REVENUES, TO REQUIRE DISTRIBUTOR REPORTS, TO REQUIRE BONDING, TO PROVIDE RECORDKEEPING REQUIREMENTS, TO PROVIDE FOR REVOCATION OR CANCELLATION OF LICENSES, TO PROVIDE PENALTIES FOR DOING BUSINESS IN IDAHO WITHOUT A VALID LICENSE, TO PROVIDE FOR ENFORCEMENT OF THE PROVISIONS OF CHAPTER 46, TITLE 63, IDAHO CODE, TO AUTHORIZE EXCHANGE OF INFORMATION AGREEMENTS, TO PROVIDE FOR ADMINISTRATION BY THE STATE TAX COMMISSION AND TO PROVIDE FOR VIOLATIONS AND PENALTIES.

**S 1115**  
**BY TRANSPORTATION COMMITTEE**  
 AN ACT

RELATING TO HIGHWAY AND MOTOR VEHICLE LAW; AMENDING SECTION 40-117, IDAHO CODE, TO CLARIFY THE DEFINITION OF "PUBLIC RIGHT-OF-WAY"; AND AMENDING SECTION 49-117, IDAHO CODE, TO REVISE AND CLARIFY THE DEFINITION OF "PUBLIC RIGHT-OF-WAY."

**S 1116**  
**BY TRANSPORTATION COMMITTEE**  
 AN ACT

RELATING TO RULES OF THE ROAD; AMENDING SECTION 49-613, IDAHO CODE, TO PROHIBIT ACTIONS THAT RESULT IN ANY DEBRIS BEING DEPOSITED UPON A HIGHWAY AND TO REQUIRE VEHICLE LOADS TO BE CONTAINED TO PREVENT CONTENTS OR LOAD FROM DROPPING, SIFTING OR LEAKING ONTO THE HIGHWAY OR TO PREVENT THE POSSIBILITY OF CONTENTS OR LOAD BLOWING, SPILLING OR OTHERWISE ESCAPING FROM A VEHICLE THAT IS BEING OPERATED ON THE HIGHWAY.

**S 1117**  
**BY TRANSPORTATION COMMITTEE**  
 AN ACT

RELATING TO FLOODING HIGHWAYS; AMENDING SECTION 18-3908, IDAHO CODE, TO DELETE A PROVISION SPECIFYING THE PENALTY FOR A SECOND OFFENSE, TO PROVIDE PROPER TERMINOLOGY, TO PROVIDE THAT A PERSON MAY NOT BE CHARGED FOR A VIOLATION OF THIS LAW IF THE FLOODING CONDITION IS CORRECTED WITHIN TWENTY-FOUR HOURS OF NOTIFICATION AND TO MAKE TECHNICAL CORRECTIONS.

**S 1118**  
**BY TRANSPORTATION COMMITTEE**  
 AN ACT

RELATING TO SNOWMOBILE REGISTRATIONS; AMENDING SECTION 67-7101, IDAHO CODE, TO REVISE THE DEFINITION OF "SNOWMOBILE"; AMENDING SECTION 67-7103, IDAHO CODE, TO INCREASE THE REGISTRATION FEES FOR PRIVATELY OWNED SNOWMOBILES AND SNOWMOBILES USED FOR RENTAL PURPOSES; AMENDING SECTION 67-7104, IDAHO CODE, TO INCREASE THE REGISTRATION FEE FOR SNOWMOBILES OWNED BY NONRESIDENTS NOT USED FOR COMMERCIAL PURPOSES; AND AMENDING SECTION 67-7106, IDAHO CODE, TO DELETE AN APPLICATION PROCESS FOR ADDITIONAL SNOWMOBILE PROGRAM FUNDS, TO CLARIFY THE SOURCE OF FUNDS USED TO DEFRAID ADMINISTRATIVE COSTS, TO PROVIDE FOR DEPOSIT OF HANDLING FEES COLLECTED BY THE DEPARTMENT AND TO PROVIDE FOR DISTRIBUTION OF SNOWMOBILE REGISTRATION REVENUES GENERATED IN COUNTIES WITHOUT A BONA FIDE SNOWMOBILE PROGRAM.

**S 1119**  
**BY TRANSPORTATION COMMITTEE**  
 AN ACT

RELATING TO CLASS D DRIVER'S LICENSE AND INSTRUCTION PERMITS; AMENDING SECTION 49-110, IDAHO CODE, TO REVISE THE REQUIREMENTS OF A CLASS D SUPERVISED INSTRUCTION PERMIT AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 49-307, IDAHO CODE, TO INCREASE THE MINIMUM TIME REQUIRED OF A PERMITTEE TO OPERATE A VEHICLE WITH A SUPERVISED INSTRUCTION PERMIT, TO PROVIDE FOR CANCELLATION OF A CLASS D SUPERVISED INSTRUCTION PERMIT UPON VIOLATION OF STATE UNDERAGE CONSUMPTION LAW, TO LIMIT THE NUMBER OF PASSENGERS ALLOWED IN A VEHICLE OPERATED BY A DRIVER WITH A CLASS D DRIVER'S LICENSE WHO IS UNDER THE AGE OF SEVENTEEN YEARS, TO PROVIDE AN EXCEPTION AND TO MAKE TECHNICAL CORRECTIONS.

**S 1120**  
**BY LOCAL GOVERNMENT AND TAXATION**  
**COMMITTEE**  
 AN ACT

RELATING TO COUNTY AUDITORS; REPEALING SECTION 31-2306, IDAHO CODE, RELATING TO A JOINT STATEMENT BY THE AUDITOR AND TREASURER AND PUBLICATION OF SUMMARIES; AND AMENDING SECTION 31-2307, IDAHO CODE, TO PROVIDE FOR TIMELY PUBLICATION OF A SUMMARY OF THE BALANCE SHEET AND OF THE STATEMENT OF REVENUES AND EXPENDITURES.

**S 1121**  
**BY LOCAL GOVERNMENT AND TAXATION**  
**COMMITTEE**  
 AN ACT

RELATING TO OFFICIAL NOTICES; AMENDING SECTION 60-105, IDAHO CODE, TO REVISE RATES FOR OFFICIAL NOTICES AND TO MAKE TECHNICAL CORRECTIONS.

**S 1122**  
**BY LOCAL GOVERNMENT AND TAXATION**  
**COMMITTEE**  
 AN ACT

RELATING TO ORDINARY AND NECESSARY EXPENSES OF GOVERNMENTAL ENTITIES; AMENDING CHAPTER 23, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2359, IDAHO CODE, TO PROVIDE THAT CERTAIN LEASES AND CONTRACTS FOR THE PURCHASE OF PERSONAL PROPERTY SHALL BE CONSIDERED ORDINARY AND NECESSARY EXPENSES WITHIN THE MEANING AS PRESCRIBED IN SECTION 3, ARTICLE VIII OF THE CONSTITUTION OF THE STATE OF IDAHO; AND DECLARING AN EMERGENCY.

**S 1123**  
**BY STATE AFFAIRS COMMITTEE**  
 AN ACT

RELATING TO TEMPORARILY DISABLED OFFICERS; AMENDING TITLE 72, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 11, TITLE 72, IDAHO CODE, TO PROVIDE LEGISLATIVE INTENT, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE FOR THE PAYMENT OF FULL BASE SALARIES TO PEACE OFFICERS AND DETENTION OFFICERS WHO ARE TEMPORARILY DISABLED, TO PROVIDE FOR REIMBURSEMENT FOR CERTAIN MONEYS RELATING TO OFFICER SALARIES, TO ESTABLISH THE PEACE OFFICER AND DETENTION OFFICER TEMPORARY DISABILITY FUND, TO PROVIDE FOR DISPOSITION OF FUND MONEYS AND TO SET FORTH PROVISIONS FOR FINES.

**S 1104, S 1105, S 1106, S 1107, S 1108, S 1109, S 1110, S 1111, S 1112, S 1113, S 1114, S 1115, S 1116, S 1117, S 1118, S 1119, S 1120, S 1121, S 1122, and S 1123** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

**H 81**, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

**H 33**, by Environment, Energy, and Technology Committee, was read the second time at length and filed for third reading.

**S 1032** and **S 1066**, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

**H 19, H 20, and H 21**, by Judiciary, Rules, and Administration Committee, were read the second time at length and filed for third reading.

**H 93**, by Appropriations Committee, was read the second time at length and filed for third reading.

**S 1077** and **S 1078**, by Health and Welfare Committee, were read the second time at length and filed for third reading.

**S 1081**, by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

**Third Reading of Bills**

**S 1058** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burkett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Corder, Darrington, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 32.

NAYS--None.

Absent and excused--Coiner, Davis, Malepeai. Total - 3.

Whereupon the President Pro Tempore declared **S 1058** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Stegner, granted by unanimous consent, **S 1057** retained its place on the Third Reading Calendar.

**S 1071** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bilyeu arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Corder, Darrington, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 32.

NAYS--None.

Absent and excused--Coiner, Davis, Malepeai. Total - 3.

Whereupon the President Pro Tempore declared **S 1071** passed, title was approved, and the bill ordered transmitted to the House.

**S 1069** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Corder, Darrington, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 32.

NAYS--None.

Absent and excused--Coiner, Davis, Malepeai. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared **S 1069** passed, title was approved, and the bill ordered transmitted to the House.

**S 1068** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Broadsword arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Corder, Darrington, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 32.

NAYS--None.

Absent and excused--Coiner, Davis, Malepeai. Total - 3.

Whereupon the President Pro Tempore declared **S 1068** passed, title was approved, and the bill ordered transmitted to the House.

**H 35** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heinrich arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Corder, Darrington, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 32.

NAYS--None.

Absent and excused--Coiner, Davis, Malepeai. Total - 3.

Whereupon the President Pro Tempore declared **H 35** passed, title was approved, and the bill ordered returned to the House.

**H 36** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hammond arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Corder, Darrington, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 32.

NAYS--None.

Absent and excused--Coiner, Davis, Malepeai. Total - 3.

Whereupon the President Pro Tempore declared **H 36** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Stegner, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

**Miscellaneous Business**

On motion by Senator Stegner, seconded by Senator Stennett, by voice vote the Senate adjourned at 12 noon until the hour of 10:30 a.m., Monday, February 12, 2007.

ROBERT L. GEDDES, President Pro Tempore

Attest: RUSTI HORTON, Assistant Secretary